

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

LK FINANCE, LLC)
v.) No. 3-11-1211
CUMMINGS RESOURCES LLC)

ORDER

In accord with the order entered January 13, 2012 (Docket Entry No. 13), on January 18, 2012, the plaintiff filed notice of filing an agreed order, in which the parties request, *inter alia*, that the case be administratively closed pending resolution of proceedings before the American Arbitration Association ("AAA") (Docket Entry No. 14).

As a result, the defendant's pending motion to dismiss or to compel arbitration and to stay (Docket Entry No. 7) is rendered MOOT, and the Clerk is directed to terminate that motion as pending.

The initial case management conference, scheduled on February 7, 2012, is CANCELLED.

The Clerk is directed to forward the file in this case to the Honorable John T. Nixon for his consideration of the parties' agreed order directing the parties to participate in AAA mediation by April 16, 2012, and, if such mediation is unsuccessful, to jointly request AAA arbitration, and administratively closing this case without prejudice and with leave to re-open after the resolution of the AAA proceedings (Docket Entry No. 14-1).

Unless otherwise directed by the Court, there will be no further proceedings before the Magistrate Judge in this case.

It is so ORDERED.

Juliet Griffin
JULIET GRIFFIN
United States Magistrate Judge